

Decision No. 61561**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 TORRANCE VAN & STORAGE COMPANY, a
 corporation, to transfer operating
 rights to CHAS. J. WORTH DRAYAGE CO.,
 a corporation.

Application No. 43053

O P I N I O N

Torrance Van & Storage Company requests authority to sell and transfer and Chas. J. Worth Drayage Co. requests authority to purchase and acquire certain highway common carrier operative rights.

The rights to be transferred were created by Decision No. 53653 as amended by Decision No. 54420 and authorized the transportation of general commodities, with certain exceptions, between points within the Los Angeles Territory. An agreed cash value of \$5,000 is placed upon the operative rights, which represents the approximate acquisition cost to applicant seller. As of November 30, 1960, Chas. J. Worth Drayage Co. indicated total liabilities \$3,332.29 in excess of total assets, which amounted to \$101,637.39.

It is alleged that applicant seller, in addition to its common carrier business, is also engaged in the business of moving and storing household goods; that it intends to engage exclusively in the latter type of business; that applicant buyer has been engaged in the transportation business for many years as a permitted carrier; and that the certificated authority will permit applicant buyer to better meet the ever increasing demands of its customers.

After consideration the Commission is of the opinion that the proposed transfer would not be adverse to the public interest. A public hearing is not necessary.

Applicant buyer is hereby placed on notice that operative rights, as such, do not constitute a class of property which may be capitalized or used as an element of value in rate fixing for any amount of money in excess of that originally paid to the State as the consideration for the grant of such rights. Aside from their purely permissive aspect, such rights extend to the holder a full or partial monopoly of a class of business over a particular route. This monopoly feature may be modified or canceled at any time by the State, which is not in any respect limited as to the number of rights which may be given.

O R D E R

Application having been filed and the Commission being informed in the premises,

IT IS ORDERED:

1. That, on or before May 1, 1961, Torrance Van & Storage Company is hereby authorized to transfer and sell, and Chas. J. Worth Draysge Co. is hereby authorized to purchase and acquire, the operative rights granted by Decision No. 53653 as amended by Decision No. 54420 in Application No. 36556.

2. That, within thirty days after the consummation of the transfer herein authorized, purchaser shall notify the Commission, in writing, of that fact and within said period shall file with the Commission a true copy of any bill of sale or other instrument of transfer which may be executed to effect said transfer.

3. That, on not less than five days' notice to the Commission and to the public, applicants shall, effective concurrently with the consummation of such transfer, amend or reissue the tariffs on file with the Commission, naming rates, rules and regulations governing

the common carrier operations here involved, including joint rate arrangements, to show that Torrance Van & Storage Company has withdrawn or canceled, and Chas. J. Worth Drayage Co. has adopted or established as its own, said rates, rules and regulations. The tariff filings made pursuant to this order shall comply in all respects with the regulations governing the construction and filing of tariffs set forth in the Commission's General Order No. 80.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 21st day of FEBRUARY, 1961.

Crest B. Page
President

Arthur E. Hatchell

E. Lynn Fox

George G. Brown

Fredrick B. Holbrook
Commissioners